

## *Editorial Department.*

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### MORAL INSANITY.

“Do facts justify the recognition of moral insanity as a distinct type of mental disease?” This was the somewhat objectionable title of a paper read before the section on Medical Jurisprudence and Psychology at the recent meeting of the American Medical Association in this city, by a prominent asylum superintendent, and discussed by a number of the leading alienists of the country. The author used a rather ingenious arithmetical argument, showing from the statistics of American asylums that the recognition of this form of disease had evidently become much less general in practice, and that in theory also its advocates were weakening and becoming fewer. Even in the very full and elaborate classification of his patients adopted in the reports of one superintendent who had been prominent as an upholder of the existence of this form of psychosis—and the author of the paper made rather a special point of this instance—there were no cases of moral insanity.

Whatever may be thought of this argument, the principal one of the paper, there seemed no doubt that the majority of those present were in sympathy with the conclusions of its author. Two, at least, of the speakers in the discussion that followed, explicitly repudiated any belief in moral insanity, and others were apparently equally decided in the same opinion. If a vote of the section had been taken upon the question, there is every probability that its decision would have been unfavorable to a recognition of the existence of moral insanity. The subject is one of great importance in a medico-legal point of view, and if the above is, as it appears to be, the prevalent opinion among alienists, the question of its cor-

rectness is worthy of the most serious attention. The Association, as a whole, took pains to put itself on record in regard to a matter infinitely less important than this, inasmuch as at the best it could only affect pecuniary interests and never human life. If it be understood in our courts of justice that the weight of scientific authority is against the existence of moral irresponsibility, independent of intellectual disorder as commonly distinguished, and yet if such a condition really exists, the possibility of grave injustice will be evident to every one. It was stated in the paper read, and the discussion that followed, that few of the highest authorities, medical or legal, recognized the condition as ever occurring—a statement, however, with which, in its strictest sense, we cannot agree. For, leaving aside all discussion as to names and terms, in regard to which there is generally more or less confusion, and considering only the facts, we find it admitted by very many of the ablest writers, that the moral faculties may be affected without necessarily implicating the mental faculties properly so-called. Among them we need only mention the names of Krafft-Ebing, Dagonet, Legrand du Sanlle, and Flemming, to show that the leaders of continental medicine in this special department are not at all on one side.

Clinically, we do not see how we can explain morbid impulses which even generally sane persons sometimes experience, and which require to be only a little stronger in those cases to impel their victim to the most absurd and even criminal acts against the dictates of their reason, without admitting the existence of a certain degree of independent moral irresponsibility. In such cases as these the highest moral sense may not be able to restrain the morbid tendency from overcoming a weak will power.

But it is to cases where this moral sense is defective, that the term moral insanity most properly applies. This defect may be, and often is, hereditary, and this is the form most generally recognized. But it seems not improbable that it may also be acquired through disease. The brain is the organ of all our psychic faculties, moral as well as intellectual, and its derangement, it is according to reason to believe, may affect one set of faculties as well as another. That we rarely meet with

a case of moral insanity uncomplicated with intellectual derangement, is no proof of its non-occurrence; the numerical argument is no argument at all, and had there never been a case observed, it would still be impossible to demonstrate from any pathological or clinical reasons that it could not occur.

The argument sometimes offered that it would be hurtful to society to recognize such a form of disease as moral insanity, appears to us slightly jesuitical, if that is a proper word. We are not such absolute utilitarians in morals or in social ethics, as to perceive no higher function of justice than that of ministering to the greatest good of the greatest number on such merely political grounds, and without regard for the welfare of the unfortunate exceptional minority. And if our laws fail to afford protection for and against the morally insane, it is time for them to be amended. Such an argument is moreover unscientific and reactionary.

We intend, at a future time, to give further attention to this subject in the pages of this JOURNAL; our present object in noting it, is to simply state our own position upon one of the most important medico-legal questions of insanity.

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The following note explains itself:

43, West Fifty-fourth St., New York,

June 8, 1877.

*Dear Sir:* I have the honor to offer to the American Neurological Association a prize of two hundred and fifty dollars to be accorded at its next annual meeting, on the favorable report of a committee of three of its members, to the author of the best essay on the anatomical and physiological effects of strychnia on the brain, the spinal cord and the nerves.

The only conditions I have to make are:

1. That the essay shall be based upon original observation and experiment.
2. That the prize shall be open to competition irrespective of nationality, under such regulations as the committee may deem proper.
3. That if the best essay be not up to the highest standard